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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

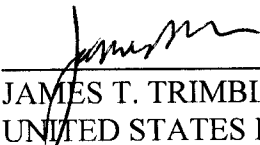
HERSHEL DALE TERRO : DOCKET NO. 2:08-CV-1477
VS. : JUDGE TRIMBLE
TONY MANCUSO, ET AL. : MAGISTRATE JUDGE KAY

JUDGMENT

There being no objection to the proposed findings of fact and conclusions of law in the Report and Recommendation of the Magistrate Judge previously filed herein these findings and conclusions are accepted. Alternatively, this court concludes that the proposed findings and conclusions are entirely correct. Accordingly, it is

IT IS ORDERED that plaintiff's action be **DISMISSED WITH PREJUDICE** for his failure to comply with discovery and as a consequence of his failure to prosecute this action.

THUS DONE AND SIGNED in Chambers at Lake Charles, Louisiana, this 1st day of October, 2009.


JAMES T. TRIMBLE, JR.
UNITED STATES DISTRICT JUDGE